

[Parties and Counsel Listed on Signature Pages]

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

People of the State of California, et al.

v.

Meta Platforms, Inc., Instagram, LLC, Meta
Payments, Inc., Meta Platforms Technologies,
LLC

Office of the Attorney General, State of Florida,
Department of Legal Affairs

v.

Meta Platforms, Inc., Instagram, LLC.

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

4:23-cv-05448, 4:23-cv-05885.

MDL No. 3047

Case Nos.: 4:23-cv-05448-YGR

4:23-cv-05885-YGR

**STATE ATTORNEYS GENERAL'S
ADMINISTRATIVE MOTION SEEKING
AN EXTENSION TO SUBMIT JURY
ENTITLEMENT CHART**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

1 Under Civil Local Rule 7-11, the State Attorneys General (“State AGs”) submit this
2 administrative motion seeking an extension to submit an editable chart addressing jury entitlement on
3 each state’s claim for liability and remedy requested.

4 At the February 23, 2024 Case Management Conference (“CMC”) and in the Court’s Case
5 Management Order (“CMO”) No. 11 (ECF 646), the State Attorneys General (“State AGs”) and
6 Defendant Meta Platforms, Inc. (“Meta”) were ordered to meet and confer about their understanding of
7 *Tull v. United States*, 481 U.S. 412 (1987). Pursuant to CMO No. 11 (ECF 646), to the extent the parties
8 disagree, the parties are to submit to the Court their understanding of *Tull* and how it applies in this
9 proceeding, by March 15, 2024.

10 Additionally, CMO No. 11 (ECF 646) directed the State AGs to “identify in an editable chart
11 under which statutory provisions (or otherwise) they seek (i) liability, and (ii) remedy, breaking out the
12 kind of remedy on separate lines (injunctive, statutory, restitution, disgorgement, etc.), and whether a
13 jury or non-jury trial is permitted for a given request for a finding of liability or relief. The States will
14 send that chart to defendants, who can note on each line whether they agree or disagree with the States’
15 articulation of the jury entitlement.”

16 In response to the Court’s direction at the February 23, 2024 CMC, and in accordance with CMO
17 No. 11 (ECF 646), the State AGs and Meta met and conferred on March 1, 8, and 10, 2024 regarding
18 their understanding of *Tull*. The State AGs and Meta agree that *Tull* and its progeny cases control the
19 question of whether either party is entitled to a jury trial in this federal action.

20 In light of the State AGs’ and Meta’s agreement that *Tull* applies here, the State AGs will seek
21 clarification from the Court at the March 22, 2024 CMC regarding the legal standard to be addressed in
22 the chart previously requested by the Court regarding jury entitlement. To the extent that the Court
23 seeks to review the chart to address the entitlement to a jury on each state’s claim for liability and
24 remedy requested under *Tull*, the State AGs move the Court to extend its March 15, 2024 deadline to
25 produce the chart pending clarification at the March 22, 2024 CMC regarding the scope of the chart
26 requested. If this motion is granted, the length of an extension can be better determined at the March 22,
27

2024 CMC when clarification is provided. In support of this motion, the State AGs include the Declaration of Thomas Huynh, counsel to New Jersey.

Finally, under the Local Rules, a motion for an order for Administrative Relief must include, among other things, a proposed order (concurrently filed with this motion) and either a stipulation under Civil Local Rule 7-12 or a declaration that explains why a stipulation could not be obtained. Here, Meta does not object to the State AGs' request for an extension contingent on the filing of this administrative motion.

For the foregoing reasons, the State AGs request that the Court grant this administrative motion and enter an order extending the deadline for the State AGs to submit a chart addressing jury entitlement.

DATED: March 15, 2024

Respectfully submitted,

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ATTESTATION

I, Thomas Huynh, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: March 15, 2024

/s/ Thomas Huynh
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